



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WALTER W. GARCIA-SERRANO, et al.,

Plaintiffs,

-against-

09 Civ. 5467 (LAK)

33 WEST 54TH STREET, LLC, et al.,

Defendants.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

Defendants' motion to dismiss the amended complaint [DI 10] is denied on the ground that it has been mooted by the filing of a second amended complaint.

SO ORDERED.

Dated: August 22, 2009

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan".

Lewis A. Kaplan
United States District Judge